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Honorable Kenneth Karas
U.S. District Court, S.D.N.Y.
500 Pearl Street
New York, N.Y. 10007

Re: UNITED STATES v. NICKHOULAS VITALE
Criminal Docket No. 07-CR-280 (KMK)

Dear: Judge Karas:

I received a telephone call from AUSA Wong who indicated that the Government will not be financially responsible for providing Mr. Vitale with any documents pursuant to Rule 16 of the Federal Rules of Criminal Procedure. The discovery entails 31 boxes of paperwork which contain approximately 40,000 pieces of paper. My client and I physically went through the 31 boxes and determined that Mr. Vitale needs 7 of the boxes for review and to prepare his defense. The copy cost of the seven (7) boxes is \$3,200, and my client is not financially capable of paying for the cost of discovery even though he has retained counsel.

Mr. Vitale is respectfully requesting that your Honor order the Government to turn over the relevant discovery material pursuant to Rule 16 of the Federal Rules of Criminal Procedure. Mr. Vitale should not be bootstrapped with these excessive costs for the copying of discovery documents in order to adequately defend himself.

Thank you very much for your time and consideration.

Respectfully Submitted,

Vincent J. Romano

cc: Christine Wong, AUSA